

**McCarter & English, LLP**  
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Attorneys for Defendants  
Whirlpool Corporation, Lowe's Home Center  
and Sears Holdings Corporation

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

CHARLENE DZIELAK and SHELLEY BAKER,  
on behalf of themselves and all others similarly  
situated,

Civil Action No. 2:12-cv-00089-SRC-MAS  
Honorable Stanley R. Chesler

Plaintiffs,

vs.

WHIRLPOOL CORPORATION, LOWE'S  
COMPANIES, INC., and SEARS HOLDINGS  
CORPORATION,

**CERTIFICATION OF  
JOEL S. NECKERS  
IN SUPPORT OF APPLICATION FOR  
ADMISSION  
*PRO HAC VICE***

Defendants.

Joel S. Neckers, of full age, hereby certifies as follows:

1. I am and have been since May 18, 2009, an attorney-at-law of the Bar of the Supreme Court of the State of Colorado, which is the State in which I am domiciled and in which I principally practice law. I also am admitted to practice in the State of Illinois (admitted on November 4, 2004), and am admitted to practice before the United States District Court, District of Colorado on January 23, 2009, the United States District Court, Northern District of Indiana on January 14, 2008, the United States District Court, Northern District of Illinois on September 25, 2005, the United States District Court, Eastern District of Michigan on November 13, 2006, the United States District Court, Northern District of Ohio on February 27, 2012, the United States Court of Appeals for the Sixth Circuit on December 10, 2004, and the United States Court

of Appeals for the Seventh Circuit on May 4, 2007. I am a member in good standing in each court to which I have been admitted.

2. The Clerk of the Supreme Court, 1560 Broadway, Suite 1810, Denver, Colorado 80202, is the office maintaining the roll of the members of the bar of the State of Colorado.

3. I certify that there are no disciplinary proceedings pending against me in any jurisdiction, and no discipline has previously been imposed upon me in any jurisdiction.

4. I understand that I have a continuing obligation to notify the Court of any matter affecting my standing with the bar of the State of Colorado or with any other court in which I am admitted to practice.

5. I am a partner of the law firm of Wheeler Trigg O'Donnell LLP, 1801 California Street, Suite 3600, Denver, CO 80202-2617.

6. I have represented Whirlpool Corporation and Sears Holdings Corporation in various product liability actions. In that capacity, I have become familiar with the products manufactured by Whirlpool Corporation and sold by Sears Holdings Corporation and have had specialized training related to the products manufactured by Whirlpool Corporation and sold by Sears Holdings Corporation.

7. Because of my firm's long-standing relationship with Whirlpool Corporation and Sears Holdings Corporation and our familiarity with the nature of their products, they have asked us to represent them in connection with this lawsuit. In addition, because of our familiarity with the nature of Whirlpool Corporation's products, Lowe's Home Center has requested that we represent it as well in connection with this lawsuit.

8. I have reviewed the Rules of the United States District Court for the District of New Jersey, including, but not limited to, the provisions of L. Civ. R. 103.1, *Judicial Ethics and Professional Responsibility*; L. Civ. R. 101.1(c), *Admission of Attorneys: Appearance Pro Hac*

Vice; *Local Counsel*; and L. Civ. R. 104.1, *Discipline of Attorneys* and agree to comply with said Rules, including all disciplinary rules, and to be associated with the law firm of McCarter & English, LLP, attorneys of record authorized to practice in the State of New Jersey and before this Court, during the period of my *pro hac vice* admission.

9. I agree to have all pleadings, briefs, and other papers filed with the Court signed by a member of the law firm of McCarter & English, LLP.

10. I agree to submit to this Court's jurisdiction for discipline.

11. I agree to pay the fee for this *pro hac vice* admission of \$150.00 to the Clerk, United States District Court for the District of New Jersey.

12. I agree to remit to the New Jersey Lawyers' Fund for Client Protection the annual payment required in accordance with New Jersey Court Rule 1:28-2(a) for each calendar year this matter is pending.

13. I certify that all retainer agreements with clients in the subject litigation do not, and in the future will not, violate any of the contingency fee provisions found in the New Jersey Court Rules.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
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*Joel S. Neckers*

Dated: April 5, 2012